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11 *Attorneys for John Beach, Trustee of the
12 Beach Living Trust dated January 22, 1999*

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

18 In re:

19 ANTHONY THOMAS and WENDI THOMAS

20 Affects ANTHONY THOMAS and
21 WENDI THOMAS

22 Affects AT EMERALD, LLC

23 Affects all Debtors

24 Case No.: BK-N-14-50333-btb
25 Chapter: 11

26 [Lead Case – Jointly Administered]

27 Case No.: BK-N-14-50331-btb
28 Chapter: 11

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**NOTICE OF ENTRY OF ORDER
ON MOTION TO COMPEL
PRODUCTION OF REQUIRED
KEY OR AUTHORIZE DRILL OUT
OF VAULT LOCK**

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**Hearing Date: July 30, 2014
Hearing Time: 10:00 a.m. PST**

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38 PLEASE TAKE NOTICE that on the 5th day of August, 2014, an *Order on Motion to*
39 *Compel Production of Required Key or Authorize Drill out of Vault Lock* was entered in the
40 above-captioned case, a copy of which is attached hereto.

41 Dated this 5th day of August, 2014.

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HOLLAND & HART LLP

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47 /s/ *Timothy A. Lukas*

48 By: _____

49 Timothy A. Lukas, Esq. (4678)
50 Joseph G. Went, Esq. (9220)

Holland & Hart LLP
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CERTIFICATE OF SERVICE

On August 5, 2014, I served a true and correct copy of the **NOTICE OF ENTRY OF ORDER ON MOTION TO COMPEL PRODUCTION OF REQUIRED KEY OR AUTHORIZE DRILL OUT OF VAULT LOCK** as follows:

Via the Court's Notice of Electronic Filing:

- KEVIN A. DARBY kevin@darbylawpractice.com, alecia@darbylawpractice.com; sarah@darbylawpractice.com; itati@darbylawpractice.com; tricia@darbylawpractice.com
 - TIMOTHY A LUKAS ecflukast@hollandhart.com
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 - U.S. TRUSTEE - RN - 11 USTPRegion17.RE.ECF@usdoj.gov
 - JOSEPH G WENT JGWent@hollandhart.com, algrangaard@hollandhart.com

I declare under penalty of perjury that the foregoing is true and correct.

DATED this 5th day of August, 2014

/s/ Liz Ford

SIGNATURE OF DECLARANT

Case 14-50333-btb Doc 157 Entered 08/05/14 16:09:43 Page 1 of 3

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*Bruce T Beesley*Honorable Bruce T. Beesley
United States Bankruptcy Judge4Entered on Docket
August 05, 20145
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7 Timothy A. Lukas, Esq.
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13 *Attorneys for John Beach, Trustee of the
Beach Living Trust dated January 22, 1999*

14 UNITED STATES BANKRUPTCY COURT

15 DISTRICT OF NEVADA

16 In re:

17 ANTHONY THOMAS and WENDI THOMAS

Holland & Hart LLP
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Las Vegas, Nevada 89134
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- Affects AT EMERALD, LLC
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- Affects all Debtors

Case No.: BK-N-14-50333-btb
Chapter: 11

[Lead Case – Jointly Administered]

Case No.: BK-N-14-50331-btb
Chapter: 1120 ORDER ON MOTION TO COMPEL
21 PRODUCTION OF REQUIRED
22 KEY OR AUTHORIZE DRILL OUT
23 OF VAULT LOCK

24 Hearing Date: July 30, 2014

25 Hearing Time: 10:00 a.m.

26 Creditor John Beach ("Beach"), as trustee of the Beach Living Trust dated January 22,
1999 (the "Beach Trust"), by and through its attorneys, Holland & Hart LLP, filed its Motion to
Compel Production of Required Key or Authorize Drill Out of Vault Lock and Reply (the

Case 14-50333-btb Doc 157 Entered 08/05/14 16:09:43 Page 2 of 3

1 “Motion” and “Reply”, respectively) [Dkt#124 and 152, respectively] seeking an order from this
 2 Court in support of examination of the Debtor’s primary asset secured in a vault in Sarasota,
 3 Florida. The Debtor, by and through its attorney, Holly E. Estes, Esq. of the Law Offices of
 4 Alan R. Smith, filed its opposition [Dkt #150] to the Motion requesting that the Motion be
 5 denied. The Court, having reviewed the parties’ pleadings and the case file, and after argument
 6 of counsel at the hearing on this matter, placed its findings on the record which are incorporated
 7 by reference pursuant to F.R.B.P. 7052 and F.R.C.P. 52; and,

9 **IT IS HEREBY ORDERED** that:

10 1. The Debtor and/or it’s principle, Anthony Thomas, provide the key necessary to
 11 access the Sarasota Vault where the Debtor’s emerald is stored to Debtor’s counsel no later than
 12 Friday, August 1, 2014;

13 2. Debtor’s counsel shall thereafter immediately deliver the key to counsel for the
 14 Beach Trust, Mr. Lukas, in order to access the vault and complete the examination as scheduled
 15 in Florida;

16 3. The individuals accessing the vault and examining the emerald shall be limited to
 17 a representative of the Beach Trust, its counsel and a gemologist. Counsel for the Beach Trust
 18 shall provide Debtor’s counsel the name of all individuals accessing the vault prior to such
 19 examination including the name and qualifications of any gemologist, the name of the
 20 representative of the Beach Trust, and the name and bar number for counsel present while the
 21 examination of the emerald is to take place; and

22 4. One week following the inspection by the Beach Trust, the Debtor and the Beach
 23 Trust shall file a status report with the court on the results of the examination and status of the
 24 sale previously approved by the Court.

26 **IT IS SO ORDERED**

Case 14-50333-btb Doc 157 Entered 08/05/14 16:09:43 Page 3 of 3

1 In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

2 The court has waived the requirement set forth in LR 9021(b)(1).

3 No party appeared at the hearing or filed an objection to the motion.

4 I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and
5 each has approved or disapproved the order, or failed to respond, as indicated below:

6 Attorney/Party	Approved	Disapproved	Failed to Respond
7 Holly E. Estes, Esq., attorney for the Debtor	X		

9 I certify that this is a case under chapter 7 or 13, that I have served a copy of this order with the
10 motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

11 SUBMITTED BY:

12 /s/ *Timothy A. Lukas*

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14 TIMOTHY A. LUKAS, ESQ.

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